

# **COUNTY OF YORK**

## **MEMORANDUM**

**DATE:** March 10, 2004 (BOS Mtg. 4/6/04)

**TO:** York County Board of Supervisors

**FROM:** James E. Barnett, County Attorney

**SUBJECT:** Skimino Hills Sewer Project

The Skimino Hills sewer project quick takes were previously brought before the Board on March 16, 2004. However, after the public advertisement for the Skimino Hills quick takes had already run, we discovered that the record owner of one of the properties on which we had assumed we had successfully acquired an easement had died intestate leaving a number of heirs, not all of whom can be located. Throughout negotiations, the County had been communicating with the record owner's daughter, who suggested that she had authority to act on her mother's behalf, but who failed to mention that her mother was deceased. Although a new easement deed will be circulated among Ms. Jerden's heirs, it will in all likelihood take some time before a fully executed deed can be recorded. Therefore, in order not to hold up the project, it is necessary to advertise this matter for a public hearing, and proceed with the quick take process.

The valuation shown in the attached resolution is based on an appraisal prepared by staff and reviewed by the County Assessor, and represents the most recent offer made for the easement.

I have attached for your consideration a proposed resolution that will authorize the filing of a certificate of take and the entry onto the property to construct the needed utilities. The easement is shown on the plat, a copy of which is also attached.

Barnett/3340:swb

Attachments: Plat, Resolution R04-57